



AT&T CORP.
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ONE AT&T WAY
BEDMINSTER NJ 07921

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OFFICE OF PETITIONS

In re Application of
David Arthur Berkley et al.
Application No. 10/090,602
Filed: March 5, 2002
Attorney Docket No. 2685/5944

ON PETITION

This is a decision on the petition filed May 18, 2007 to withdraw the holding of abandonment which is being treated under 37 CFR 1.181.

The petition under 37 CFR 1.181 is **GRANTED**.

This application became abandoned December 22, 2006 for failure to file a proper and timely response to the non-Final Office Action mailed September 21, 2006. Accordingly a Notice of Abandonment was mailed May 7, 2007.

Petitioner claims that the Office Action and Notice of Abandonment were mailed to the previous attorneys of record.

A review of the file reveals however that a power of attorney and address change was filed on March 14, 2006 but that the information was not updated prior to the mailing of the non-Final Office Action on September 21, 2006. Thus, the Office Action and Notice of Abandonment were mailed to the wrong address and as petitioners claim, not received.

In view of the above, no petition fees are due and none have been charged.

The Notice of Abandonment is withdrawn and this matter is being referred to Technology Center 2616 for a re-mailing of the non-Final Office Action previously mailed September 21, 2006.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/090,602	03/05/2002	David Arthur Berkley	2685/5944

CONFIRMATION NO. 7682



OC000000024082439

23838
 KENYON & KENYON LLP
 1500 K STREET N.W.
 SUITE 700
 WASHINGTON, DC 20005

Date Mailed: 05/25/2007

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/14/2006.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199

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CONFIRMATION NO. 7682



OC000000024082476

26652
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Date Mailed: 05/25/2007

/ NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/14/2006.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

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